

Union Calendar No. 413

104TH CONGRESS  
2D Session

**H. R. 3903**

[Report No. 104-768]

**A BILL**

To require the Secretary of the Interior to sell the  
Sly Park Dam and Reservoir, and for other pur-  
poses.

SEPTEMBER 4, 1996

Reported with an amendment, committed to the Commi-  
tee of the Whole House on the State of the Union, and  
ordered to be printed

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## IN THE HOUSE OF REPRESENTATIVES

JULY 25, 1996

Mr. DOOLITTLE introduced the following bill; which was referred to the Committee on Resources

SEPTEMBER 4, 1996

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on July 25, 1996]

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## A BILL

To require the Secretary of the Interior to sell the Sly Park Dam and Reservoir, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 **SECTION 1. SHORT TITLE.**
- 4 *This Act may be cited as the “Sly Park Unit Convey-*
- 5 *ance Act”.*

1 **SEC. 2. DEFINITIONS.**

2 *For purposes of this Act:*

3 (1) *The term “El Dorado Irrigation District” or*  
4 *“District” means a political subdivision of the State*  
5 *of California duly organized, existing, and acting*  
6 *pursuant to the laws thereof with its principal place*  
7 *of business in the city of Placerville, El Dorado Coun-*  
8 *ty, California.*

9 (2) *The term “Secretary” means the Secretary of*  
10 *the Interior.*

11 (3) *The term “Sly Park Unit” means the Sly*  
12 *Park Dam and Reservoir, Camp Creek Diversion*  
13 *Dam and Tunnel and conduits and canals as author-*  
14 *ized under the Act entitled “An Act to authorize the*  
15 *American River Basin Development, California, for*  
16 *irrigation and reclamation, and for other purposes”,*  
17 *approved October 14, 1949 (63 Stat. 852 chapter*  
18 *690), together with all other facilities owned by the*  
19 *United States including those used to convey and*  
20 *store water delivered from Sly Park, as well as all*  
21 *recreation facilities associated thereto.*

22 **SEC. 3. SALE OF THE SLY PARK UNIT.**

23 (a) *The Secretary shall, on or before December 31,*  
24 *1997, and upon receipt of the payment for the original con-*  
25 *struction debt described in subsection (b), sell and convey*  
26 *to the El Dorado Irrigation District all right, title, and*

1 *interest of the United States in and to the Sly Park Unit.*  
 2 *At the time the Sly Park Unit is conveyed, the Secretary*  
 3 *shall also transfer and assign to the District the water*  
 4 *rights relating to the Sly Park Unit held in trust by the*  
 5 *Secretary for diversion and storage under California State*  
 6 *permits numbered 2631 and 12258 and other valid permits*  
 7 *issued by the California State Water Resources Control*  
 8 *Board.*

9       (b) *The sale price for the Sly Park Unit shall be*  
 10 *\$2,600,000. Payment shall be deposited as miscellaneous re-*  
 11 *ceipts in the Treasury. Payment of such price shall extin-*  
 12 *guish all payment obligations under contract numbered 14-*  
 13 *06-200-949IR1 between the District and the Secretary.*

14       (c) *The terms of the transfer shall include a commit-*  
 15 *ment by the El Dorado Irrigation District to continue to*  
 16 *use and operate the facility for the existing purposes follow-*  
 17 *ing the transfer. If the District chooses to alter the oper-*  
 18 *ations or uses in the future it shall comply with all applica-*  
 19 *ble laws or regulations governing such changes at that time.*

20 **SEC. 4. CERTAIN CONTRACT OBLIGATIONS NOT AFFECTED.**

21       *The sale of the Sly Park Unit under this Act shall not*  
 22 *affect the payment obligations of the District under the con-*  
 23 *tract between the District and the Secretary numbered 14-*  
 24 *06-200-7734, as amended by contracts numbered 14-06-*  
 25 *200-4282A and 14-06-200-8536A.*

1 **SEC. 5. TREATMENT OF SALES FOR PURPOSES OF CERTAIN**  
2 **LAWS.**

3 *(a) The sales of assets under this Act shall not be con-*  
4 *sidered a disposal of Federal surplus property under the*  
5 *following provisions of law:*

6 *(1) Section 203 of the Federal Property and Ad-*  
7 *ministrative Services Act of 1949 (40 U.S.C. 484).*

8 *(2) Section 13 of the Surplus Property Act of*  
9 *1944 (50 U.S.C. App. 1622).*

10 *(b) The Congress specifically finds that (1) the sale,*  
11 *conveyance and assignment of the Sly Park Unit and water*  
12 *rights under this Act involves the transfer of the ownership*  
13 *and operation of an existing ongoing water project, (2) the*  
14 *Sly Park Unit will continue to be operated for the existing*  
15 *purposes following the transfer, pursuant to section 3(c) of*  
16 *this Act, and (3) the sale, conveyance and assignment of*  
17 *the Sly Park Unit and water rights does not involve any*  
18 *additional growth or expansion of the Project or other envi-*  
19 *ronmental impacts. The sale, conveyance and assignment*  
20 *of the Sly Park Unit and water rights is consistent with*  
21 *the National Environmental Policy Act of 1969 (42 U.S.C.*  
22 *4332) and the Endangered Species Act of 1973 (16 U.S.C.*  
23 *1531 et seq.) without additional environmental review and,*  
24 *consequently, no new environmental documentation is re-*  
25 *quired pursuant to such Acts.*

1 **SEC. 6. PAYMENTS INTO THE CENTRAL VALLEY PROJECT**  
2 **RESTORATION FUND.**

3 *The El Dorado Irrigation District shall continue to*  
4 *make payments into the Central Valley Project Restoration*  
5 *Fund for 35 years after enactment of the Act. The District's*  
6 *obligation shall be calculated in the same manner as*  
7 *Central Valley Project water contractors.*

8 **SEC. 7. RECLAMATION ACT APPLICABILITY.**

9 *Upon conveyance of the title to the Sly Park Unit, the*  
10 *El Dorado Irrigation District shall no longer be subject to*  
11 *the Reclamation Act of 1902 (82 Stat. 388) and all Acts*  
12 *amendatory thereof or supplemental thereto, except as pro-*  
13 *vided in section 7 of this Act.*